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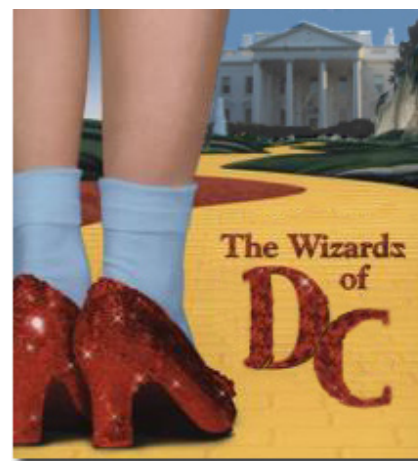


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The Stolen Presidential Elections

(updated version, May 2007)

In one of the closest contests in U.S. history, the 2000 presidential election between Democratic Vice-President Al Gore and Republican governor of Texas George W. Bush (hereafter referred to as Bush Jr. to distinguish him from his father who was also a president), the final outcome hinged on how the vote went in Florida. Independent investigations in that state revealed serious irregularities directed mostly against ethnic minorities and low-income residents who usually voted heavily Democratic. Some 36,000 newly registered voters were turned away because their names had never been added to the voter rolls by Florida's secretary of state Kathleen Harris. By virtue of the office she held, Harris presided over the state's election process while herself being an active member of the Bush Jr. state-wide campaign committee. Other voters were turned away because they were declared--almost always incorrectly--"convicted felons." In several Democratic precincts, state officials closed the polls early, leaving lines of would-be voters stranded.



Under orders from Governor Jeb Bush (Bush Jr.'s brother), state troopers near polling sites delayed people for hours while searching their cars. Some precincts required two photo IDs which many citizens do not have. The requirement under Florida law was only one photo ID. Passed just before the election, this law itself posed a special difficulty for low-income or elderly voters who did not have drivers licenses or other photo IDs. Uncounted ballot boxes went missing or were found in unexplained places or were never collected from certain African-American precincts. During the recount, GOP agitators shipped in from Washington D.C. by the Republican national leadership stormed the Dale County Canvassing Board, punched and kicked one of the officials, shouted and banged on their office doors, and generally created a climate of intimidation that caused the board to abandon its recount and accept the dubious pro-Bush tally.¹

Then a five-to-four conservative majority on the U.S. Supreme Court in a logically tortured decision ruled that a complete recount in Florida would be a violation of the Fourteenth

Amendment's equal protection clause because different counties have different ways of counting the votes. At that point Gore was behind by only a few hundred or so votes in Florida and was gaining ground with each attempt at a recount. By preventing a complete tally, the justices handed Florida's electoral votes and the presidency to Bush, a stolen election in which the conservative activists on the Supreme Court played a key role.

Even though Bush Jr. lost the nation's popular vote to Gore by over half a million, he won the electoral college and the presidency itself. Florida was not the only problem. Similar abuses and mistreatment of voters and votes occurred in other parts of the country. A study by computer scientists and social scientists estimated that four to six million votes were left uncounted in the 2000 election.²

The 2004 presidential contest between Democratic challenger Senator John Kerry and the incumbent president George W. Bush amounted to another stolen election. Some 105 million citizens voted in 2000, but in 2004 the turnout climbed to at least 122 million. Pre-election surveys indicated that among the record 16.8 million new voters Kerry was a heavy favorite, a fact that went largely unreported by the press. In addition, there were about two million progressives who had voted for Ralph Nader in 2000 who switched to Kerry in 2004. Yet the official 2004 tallies showed Bush Jr. with 62 million votes, about 11.6 million more than he got in 2000. Meanwhile Kerry showed only eight million more votes than Gore received in 2000. To have achieved his remarkable 2004 tally, Bush would needed to have kept all his 50.4 million from 2000, plus a majority of the new voters, plus a large share of the very liberal Nader defectors. Nothing in the campaign and in the opinion polls suggest such a mass crossover. The numbers simply do not add up.

In key states like Ohio, the Democrats achieved immense success at registering new voters, outdoing the Republicans by as much as five to one. Moreover the Democratic party was unusually united around its candidate—or certainly against the incumbent president. In contrast, prominent elements within the GOP displayed open disaffection, publicly voicing serious misgivings about the Bush administration's huge budget deficits, reckless foreign policy, theocratic tendencies, and threats to individual liberties. Sixty newspapers that had endorsed Bush in 2000 refused to do so in 2004; forty of them endorsed Kerry.³

All through election day 2004, exit polls showed Kerry ahead by 53 to 47 percent, giving him a nationwide edge of about 1.5 million votes, and a solid victory in the electoral college. Yet strangely enough, the official tally gave Bush the election by two million votes. What follows are examples of how the GOP "victory" was secured.⁴

In some places large numbers of Democratic registration forms disappeared, along with absentee ballots and provisional ballots. Sometimes absentee ballots were mailed out to voters just before election day, too late to be returned on time, or they were never mailed at all. Overseas ballots normally reliably distributed by the State Department were for some reason distributed by the Pentagon in 2004. Nearly half of the six million American voters living abroad--a noticeable number of whom formed anti-Bush organizations--never received their ballots or got them too late to vote. Military personnel, usually more inclined toward supporting the president, encountered no such problems with their overseas ballots. A person

familiar with my work, Rick Garves, sent me this account of his attempt to cast an overseas ballot:

I filled out the forms to register to vote absentee since I live here in Sweden. They were even done at a meeting for “Democrats Abroad in Stockholm.” I mailed the forms and when I got my packet back I looked at it and they had me as being in the military. Of course I am not and never have been. I also never checked any boxes on the forms even remotely close to anything insinuating that I was in the military.

So there was not enough time to fix the “error” and I did not even bother to vote because I knew they would check and find that I am not in the military and my vote would be invalidated. I now wonder even more if that happened because of the Pentagon taking over the handling of the absentee voter registration and too, how many more overseas voters had the same problem?

Tens of thousands of Democratic voters were stricken from the rolls in several states because of “felonies” never committed, or committed by someone else, or for no given reason. Registration books in Democratic precincts were frequently out-of-date or incomplete.

Voter Outreach of America, a company funded by the Republican National Committee, collected thousands of voter registration forms in Nevada, promising to turn them in to public officials, but then systematically destroyed the ones belonging to Democrats.

Democratic precincts--enjoying record turnouts--were deprived of sufficient numbers of polling stations and voting machines, and many of the machines they had kept breaking down. After waiting long hours many people went home without voting. The noted political analyst and writer, Gregory Elich, sent me this account of his election day experience:

I recall being surprised when I went to vote before work here in Ohio in 2004. Normally, at election time, I can go to the polling place before work, walk in and be in a voting booth in less than two minutes, even in a presidential election. In 2004, when I arrived I saw a long, snaking line of people. I waited twenty minutes, and the line barely moved. It was clear I would be late for work if I persisted, so I left and decided to take an hour or so of vacation time in the middle of the day to vote. I thought surely, in the middle of the work day, the line would not be bad. The line was worse, and it took me close to two hours to vote.

My neighborhood is about 65 to 70 percent African-American. The next day, in conversation with an African-American co-worker, she told me that she waited in line for four hours. And I heard stories later of people waiting as long as 7 hours. I also stopped at the post office, and voting was a topic of conversation for those of us in the post office line. The man ahead of me, who lived in a well-to-do neighborhood said he was surprised to hear the stories, because it only took him two minutes to vote. Just anecdotal stories, but there were so many more, that there certainly seemed to be a pattern in regard to wealthy vs. working class neighborhoods.

Pro-Bush precincts almost always had enough voting machines, all working well to make voting quick and convenient. A similar pattern was observed with student populations in several states: students at conservative Christian colleges had little or no wait at the polls,

while students from liberal arts colleges were forced to line up for as long as ten hours, causing many to give up.

In Lucas County, Ohio, one polling place never opened; the voting machines were locked in an office and apparently no one could find the key. In Hamilton County many absentee voters could not cast a Democratic vote for president because John Kerry's name had been "accidentally" removed when Ralph Nader was taken off the ballot.

A polling station in a conservative evangelical church in Miami County, Ohio, recorded an impossibly high turnout of 98 percent, while a polling place in Democratic inner-city Cleveland recorded an impossibly low turnout of 7 percent.

Latino, Native American, and African American voters in New Mexico who favored Kerry by two to one were five times more likely to have their ballots spoiled and discarded in districts supervised by Republican election officials. Many were readily given provisional ballots that subsequently were never counted. In these same Democratic areas Bush "won" an astonishing 68 to 31 percent upset victory. One Republican judge in New Mexico discarded hundreds of provisional ballots cast for Kerry, accepting only those that were for Bush.

Cadres of rightwing activists, many of them religious fundamentalists, were financed by the Republican Party. Deployed to key Democratic precincts, they handed out flyers warning that voters who had unpaid parking tickets, an arrest record, or owed child support would be arrested at the polls--all untrue. They went door to door offering to "deliver" absentee ballots to the proper office, and announcing that Republicans were to vote on Tuesday (election day) and Democrats on Wednesday.

Democratic poll watchers in Ohio, Arizona, and other states, who tried to monitor election night vote counting, were menaced and shut out by squads of GOP toughs. In Warren County, Ohio, immediately after the polls closed Republican officials announced a "terrorist attack" alert, and ordered the press to leave. They then moved all ballots to a warehouse where the counting was conducted in secret, producing an amazingly high tally for Bush, some 14,000 more votes than he had received in 2000. It wasn't the terrorists who attacked Warren County.

Bush Jr. also did remarkably well with phantom populations. The number of his votes in Perry and Cuyahoga counties in Ohio, exceeded the number of registered voters, creating turnout rates as high as 124 percent. In Miami County nearly 19,000 additional votes eerily appeared in Bush's column *after* all precincts had reported. In a small conservative suburban precinct of Columbus, where only 638 people were registered, the touchscreen machines tallied 4,258 votes for Bush.

In almost half of New Mexico's counties, more votes were reported than were recorded as being cast, and the tallies were consistently in Bush's favor. These ghostly results were dismissed by New Mexico's Republican Secretary of State as an "administrative lapse."

Exit polls showed Kerry solidly ahead of Bush Jr. in both the popular vote and the electoral college. Exit polls are an exceptionally accurate measure of elections. In the last three elections in Germany, for example, exit polls were never off by more than three-tenths of one percent. Unlike ordinary opinion polls, the exit sample is drawn from people who have actually just

voted. It rules out those who say they will vote but never make it to the polls, those who cannot be sampled because they have no telephone or otherwise cannot be reached at home, those who are undecided or who change their minds about whom to support, and those who are turned away at the polls for one reason or another. Exit polls have come to be considered so reliable that international organizations use them to validate election results in countries around the world.

Republicans argued that in 2004 the exit polls were inaccurate because they were taken only in the morning when Kerry voters came out in greater numbers. (Apparently Bush voters are late sleepers.) In fact, the polling was done at random intervals all through the day, and the evening results were as much favoring Kerry as the earlier sampling. It was also argued that exit pollsters focused more on women (who favored Kerry) than men, or perhaps large numbers of taciturn Republicans were less inclined than chatty Democrats to talk to pollsters. No evidence was put forth to substantiate these fanciful speculations.

Most revealing, the discrepancies between exit polls and official tallies were never random but worked to Bush's advantage in ten of eleven swing states that were too close to call, sometimes by as much as 9.5 percent as in New Hampshire, an unheard of margin of error for an exit poll. In Nevada, Ohio, New Mexico, and Iowa exit polls registered solid victories for Kerry, yet the official tally in each case went to Bush, a mystifying outcome.

In states that were not hotly contested the exit polls proved quite accurate. Thus exit polls in Utah predicted a Bush victory of 70.8 to 26.4 percent; the actual result was 71.1 to 26.4 percent. In Missouri, where the exit polls predicted a Bush victory of 54 to 46 percent, the final result was 53 to 46 percent.

One explanation for the strange anomalies in vote tallies was found in the widespread use of touchscreen electronic voting machines. These machines produced results that consistently favored Bush over Kerry, often in chillingly consistent contradiction to exit polls.

In 2003 more than 900 computer professionals had signed a petition urging that all touchscreen systems include a verifiable audit trail. Touchscreen voting machines can be easily programmed to go dead on election day or throw votes to the wrong candidate or make votes disappear while leaving the impression that everything is working fine. A tiny number of operatives can easily access the entire computer network through one machine and thereby change votes at will. The touchscreen machines use trade secret code, and are tested, reviewed, and certified in complete secrecy. Verified counts are impossible because the machines leave no reliable paper trail.

Since the introduction of touchscreen voting, anomalous congressional election results have been increasing. In 2000 and 2002, Senate and House contests and state legislative races in North Carolina, Nebraska, Alabama, Minnesota, Colorado, and elsewhere produced dramatic and puzzling upsets, always at the expense of Democrats who were substantially ahead in the polls. All of Georgia's voters used Diebold touchscreen machines in 2002, and Georgia's incumbent Democratic governor and incumbent Democratic senator, who were both well ahead in the polls just before the election, lost in amazing double-digit voting shifts.

In some counties in Texas, Virginia, and Ohio, voters who pressed the Democrat's name found that the GOP candidate was chosen. It never happened the other way. No one reported

choosing a Republican and ending up with the Democrat. In Cormal County, Texas, three GOP candidates won the touchscreen contest by exactly 18,181 votes apiece, a near statistical impossibility.

This may be the most telling datum of all: In New Mexico in 2004 Kerry lost all precincts equipped with touchscreen machines, irrespective of income levels, ethnicity, and past voting patterns. The only thing that consistently correlated with his defeat in those precincts was the presence of the touchscreen machine itself. In Florida Bush registered inexplicably sharp jumps in his vote (compared to 2000) in counties that used touchscreen machines, including counties that had shown record increases in Democratic voter registration.⁵

In sum, despite an arsenal of foul ploys that prevented people from voting, those who did get to vote still went decisively for Kerry--but had their votes subverted by a rigged system.

Companies like Diebold, Sequoia, and ES&S that market the touchscreen machines are owned by militant supporters of the Republican party. These companies have consistently refused to allow election officials to evaluate the secret voting machine software. Apparently corporate trade secrets are more important than voting rights. In effect, corporations have privatized the electoral system, leaving it susceptible to fixed outcomes. *Caveat emptor*.

Postscript. In the 2006 mid-term congressional elections, the Democrats won back the House with a 30-seat majority and the Senate by one seat. This might lead us to conclude that honest elections won the day. To be sure, the U.S. electoral system is a patchwork of fifty different state systems, all with additional county-level variations. So there must have been honestly conducted electoral proceedings in many parts of the country.

Still, what has to be explained is why the Democratic victory was so relatively slim. Given the massive crossover reported in the polls, why was it not a landslide of greater magnitude? From 15 to 30 percent of erstwhile Republican voters reportedly either switched or stayed home. Most Democratic gains in 2006 were in normally Republican, White, suburban, middle class districts. Meanwhile traditional Democratic strongholds held fairly firm. It seems the Republicans lost because while they focused on trying to suppress and undermine the Democratic base, they lost a large chunk of their own following.

In several states, residents in Democratic areas were confronted by purged registration lists, falsely based threats of arrest, and exacting voter ID requirements. Irregularities were so outrageous in Virginia that the FBI was called in. According to the polls, Senate Republican incumbent George Allen should have lost Virginia by a substantial margin instead of a few thousand votes. Touch screen irregularities and voter discouragement tactics helped him close the gap but not enough. In Florida's district 13, the Democratic candidate Christine Jennings lost by a few hundred votes after 18,000 ballots were lost by touchscreen machines that left no paper trail to rectify the situation.

Democrats lost another seat in Florida and at least two in Ohio, Harvey Wasserman reports, that they should have won according to the polls. The Democrats should have won the House by 50 or more seats and the Senate by a wider margin, Wasserman suggested in a radio interview (Pacifica, May 2007).

Touchscreen machines have been variously described as “faulty,” or ridden with “glitches.” This is not usually the case. If it were simply a matter of malfunction, the mistakes would occur randomly, rather than consistently favoring the GOP. What we are dealing with are not faulty machines but fixed machines.

The United States is the only country (as compared to Western Europe) that makes it difficult for people to vote. Historically the hurdles have been directed at low-income voters and ethnic minorities. In 2006, various states disqualified voters if their registration information failed to match perfectly with some other record such as a driver’s license. Because of this at least 17 percent of eligible citizens in Arizona’s largest county were denied registration. In some states persons who conduct voter registration drives risk criminal prosecution for harmless mistakes, including errors in collecting forms. In Florida some 50,000 voters were purged in 2004 (in addition to the many purged in 2000), many of them African-American, who still were unable to vote by 2006. In various states and counties the subterranean war against electoral democracy continues.⁶

Notes:

1. For these various irregularities, see *New York Times*, 30 November 2000 and 15 July 2001; Boston Globe, 30 November 2000 and 10 March 2001. A relevant documentary is *Unprecedented: The 2000 Presidential Election*, L.A. Independent Media Center Film, 2004.
2. *New York Times*, 15 September 2002; the investigators were from California Institute of Technology and Massachusetts Institute of Technology.
3. Mark Crispin Miller, *Fooled Again: How the Right Stole the 2004 Election and Why They’ll Steal the Next One Too* (Basic Books, 2005), 7-31, 262, and passim.
4. All the various instances that follow—with the exception of the Rick Garves and Gregory Elich testimonials-- are from Miller, *Fooled Again*, passim; Bob Fittrakis and Harvey Wasserman, *How the GOP Stole America’s 2004 Election and Is Rigging 2008* (CICJ Books/www.Freepress.org, 2005); Anita Miller (ed.), *What Went Wrong in Ohio: The Conyers Report on the 2004 Presidential Election* (Academy Chicago Publishers, 2005); Andy Dunn, “Hook & Crook,” *Z Magazine*, March 2005; Greg Palast, “Kerry Won: Here Are the Facts,” *Observer*, 5 November 2004; Steven F. Freeman (with Joel Bleifus), *Was the 2004 Presidential Election Stolen?* (Seven Stories, 2006).
5. Jonathan Simon and Ron Baiman, “The 2004 Presidential Election: Who Won the Popular Vote? An Examination of the Comparative Validity of Exit Polls and Vote Count Data,” *Freepress.org*, 2 January 2004; . Freeman, *Was the 2004 Presidential Election Stolen?* 99-134 and passim; Fittrakis and Wasserman, *How the GOP Stole America’s 2004 Election*, 51, 55-57.
6. *New York Times*, 9 November 2006.

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